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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/885,597	06/30/1997	JOHN TANG	065020023	7560

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EXAMINER

NGUYEN, LE V

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/885,597

Applicant(s)

TANG ET AL.

Examiner

Le Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 29-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 13-17 and 29-35 is/are rejected.
- 7) ☒ Claim(s) 6, 12 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to an amendment filed 1/4/05.
2. Claims 1-18 and 29-35 are pending in this application. Claims 1, 7, 13 and 32 are independent claims; claims 33-35 are newly added; and, claims 1, 7, 13 and 32 have been amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 35 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Since "hits in a world wide web hierarchy" (line 17 of page 12) has only been mentioned once without descriptive passages to further clarify the term, the examiner will interpret "hits in a world wide web hierarchy" to mean search result hits over the Internet within the scope of a container reflecting such search result hits, i.e. a container reflecting relevance of search results over the Internet.

Claim Rejections - 35 USC § 103

6. Claims 1-5, 7-11, 13-18 and 29-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Capps in view of Skarbo et al. ("Skarbo").

As per claim 1, Capps teaches a process for reflecting a state of a software container having objects, comprising:

cyclically displaying a series of frames reflecting a state of the container as an animated sequence (figs. 12a-12c; *a software "container" is represented by an icon-sized area on a computer display screen wherein an animated presentation is displayed in the icon sized area*);

detecting an event reflecting a change in the state of the container (col. 5, lines 44-50; col. 8, lines 34-40; *reflecting the change in the state of the container upon detecting user activation*);

determining based on the detected event whether an animated sequence does not reflect the state of the container and updating the cyclical display based on the determination (col. 8, lines 37-40; col. 7, lines 63-65; *based on user activation, a determination is made whether an animated sequence reflects the state of the container, e.g. an animation cycle of an object slipped into a file folder and moving across the screen into an open drawer reflects the activity of an object to be filed, and the image/cyclical display is updated upon completion with the image being removed as a determination that the process is complete*). Capps does not explicitly disclose a container wherein the container implements a discussion forum. Skarbo teaches a container wherein the container implements a discussion forum (fig. 11; col. 7, lines 7-

14). Therefore, it would have been obvious to an artisan at the time of the invention to include Skarbo's teaching of a container wherein the container implements a discussion forum to Capps' teaching of a container so that users may share one or more types of data such as visual data.

As per claim 2, the modified Capps teaches a process for reflecting a state of a software container having objects wherein the cyclical display provides an intuitive representation of a degree of the change in the state of the container (Capps: col. 8, lines 37-40; col. 7, lines 63-65; *a degree or extent of activity being animated, active and animated versus non-active wherein image is removed*).

As per claim 3, the modified Capps teaches a process for reflecting a state of a software container having objects wherein the cyclical display reflects a quantity and type of objects (Capps: col. 5, lines 36-50; *the cyclical display reflects an object O of type text, i.e. the cyclical display reflects a number of objects such as file object and mail object as described in col. 8, lines 34-40*).

As per claim 4, the modified Capps teaches a process for reflecting a state of a software container having objects wherein the cyclical display embeds audio information in the generated frames (Capps: col. 2, lines 57-58; *the cyclical display embeds/inserts a program or sequence of instructions executed by the computer such as a created audio information program into the animation program, the audio information becomes part of the animation*).

As per claim 5, the modified Capps teaches a process for reflecting a state of a software container having objects wherein the cyclical display uses one of color

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variations, tempo, motion, and change in size to represent the degree of the change in the state of the container (Capps: col. 8, lines 34-40; col. 7, lines 63-65; *tempo and motion is used to represent the degree of the change in the state of the container*).

Claims 7 and 13 are individually similar in scope to claim 1 and are therefore rejected under similar rationale.

Claims 8 and 14 are individually similar in scope to claim 2 and are therefore rejected under similar rationale.

Claims 9 and 15 are individually similar in scope to claim 3 and are therefore rejected under similar rationale.

Claims 10 and 16 are individually similar in scope to claim 4 and are therefore rejected under similar rationale.

Claims 11 and 17 are individually similar in scope to claim 5 and are therefore rejected under similar rationale.

As per claim 29, the modified Capps teaches a process for reflecting a state of a software container having objects wherein the frames include characteristics that are symbolic of objects of the container (col. 8, lines 34-40; *a crumpled object is symbolic of an object for the trash container, a folded object is symbolic of a letter to be stuffed into an envelope container and an object slipped into a file folder is symbolic of an object to be filed into a filing cabinet container*).

Claims 30 and 31 are individually similar in scope to claim 29 and are therefore rejected under similar rationale.

As per claims 32-34, Capps teaches a process for reflecting a state of a software container having objects, comprising: cyclically displaying a series of frames reflecting a state of the container as an animated sequence (figs. 12a-12c; *a software "container" is represented by an icon-sized area on a computer display screen wherein an animated presentation is displayed in the icon sized area*); detecting an event reflecting a change in the state of the container (col. 5, lines 44-50; col. 8, lines 34-40; *reflecting the change in the state of the container upon detecting user activation*); determining based on the detected event whether an animated sequence does not reflect the state of the container and updating the cyclical display based on the determination (col. 8, lines 37-40; col. 7, lines 63-65; *based on user activation, a determination is made whether an animated sequence reflects the state of the container, e.g. an animation cycle of an object slipped into a file folder and moving across the screen into an open drawer reflects the activity of an object to be filed, and the image/cyclical display is updated upon completion with the image being removed as a determination that the process is complete*). Capps does not explicitly disclose a container wherein the container tracks e-mail discussion threads (i.e. electronic text messages related to a specific topic), multiple interactive chat discussions or summarizes news groups discussions. Skarbo teaches a container wherein the container tracks e-mail discussion threads/multiple interactive chat discussions (fig. 11; col. 6, line 64 through col. 7, line 14; *a clock follows/monitors e-mail discussions and multiple interactive chat discussions*) and wherein the container summarizes news groups discussions (fig. 11; col. 6, line 64 through col. 7, line 14; *a clock summarizes time remaining in a discussion*). Therefore, it

would have been obvious to an artisan at the time of the invention to include Skarbo's teaching of a container wherein the container monitors/summarizes e-mail discussion threads/news groups discussions/multiple interactive chat discussions to Capps' teaching of a container so that users may share one or more types of data.

7. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Capps in view of Vora et al. ("Vora").

As per claim 35, Capps teaches a process for reflecting a state of a software container having objects, comprising: cyclically displaying a series of frames reflecting a state of the container as an animated sequence (figs. 12a-12c; *a software "container" is represented by an icon-sized area on a computer display screen wherein an animated presentation is displayed in the icon sized area*); detecting an event reflecting a change in the state of the container (col. 5, lines 44-50; col. 8, lines 34-40; *reflecting the change in the state of the container upon detecting user activation*); determining based on the detected event whether an animated sequence does not reflect the state of the container and updating the cyclical display based on the determination (col. 8, lines 37-40; col. 7, lines 63-65; *based on user activation, a determination is made whether an animated sequence reflects the state of the container, e.g. an animation cycle of an object slipped into a file folder and moving across the screen into an open drawer reflects the activity of an object to be filed, and the image/cyclical display is updated upon completion with the image being removed as a determination that the process is complete*). Capps does not explicitly disclose a container wherein the container monitors relevance of search results over the Internet. Vora teaches a process for

reflecting a state of a software container having objects, comprising a container wherein the container monitors relevance of search results over the Internet (fig. 4A; col. 6, line 55 through col. 7, line 9; *relevance of search results 425b of container 401*). Therefore, it would have been obvious to an artisan at the time of the invention to include Vora's teaching of a container wherein the container monitors relevance of search results over the Internet to Capps teaching of a container to provide users with data in a summary format.

Allowable Subject Matter

8. Claims 6, 12 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is an examiner's statement of reasons for allowance:

The prior art made of record fails to anticipate or make obvious the claimed invention. Specifically, the prior art fails to teach, in combination with the remaining elements:

the process wherein the cyclical display uses color variations, tempo, motion, and change in size to reflect the number or type of the objects in the container.

Although the closest prior art, Capps with Skarbo, when combined, teaches a process for reflecting a state of a software container having objects wherein the cyclical display uses *one of* color variations, tempo, motion, and change in size to reflect a

number or type of objects in the container, the prior art still fail to anticipate or render all of the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

10. Applicant's arguments with respect to claims 1-18 and 29-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê whose telephone number is (703) 305-7601 or (571) 272-4068. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640. The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN

Patent Examiner

February 25, 2005

Kristine Kincaid
KRISTINE KINCAID
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